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SUBJ: OVERVIEW OF REFUGEES IN YEMEN: A MIXED BAG OF MISERY

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¶1. (SBU/NF) SUMMARY: According to the United Nations High Commissioner for Refugees (UNHCR), there were 117,363 recognized refugees in Yemen at the end of December 2007. The number of unregistered migrants may equal or exceed this. While their national origin largely determines their experiences, the ROYG's lack of capacity and concern are a problem for all. Since the influx is likely to continue, it may be time for outside assistance to focus on economic integration rather than simply relief. END SUMMARY.

¶2. (SBU/NF) The vast majority (110,616) of the 117,363 recognized refugees in Yemen are Somalis. They are followed by Iraqis (3,747), Ethiopians (1,988), Palestinians (440), Eritreans (415), and around 157 others, including Sudanese, Syrians, Vietnamese and other Africans and Arabs. While refugees are spread throughout Yemen's urban centers, large numbers of Somalis reside in the Kharaz refugee camp west of Aden or in Basateen, a majority-Somali suburb of Aden city. There is also a small but growing second generation of Somali refugees born in Kharaz camp. Many refugees intend to use Yemen as a jumping-off point for destinations in the Gulf or Europe. Although no statistics are available, Marcus Dolder, the Representative in Yemen of the International Committee for the Red Cross/Red Crescent, has estimated that as many as half of all arrivals in Yemen move on via land routes to Saudi Arabia.

¶3. (SBU/NF) The high percentage of recognized Somali refugees derives from the ROYG's policy of granting automatic refugee status to all Somalis who reach Yemen. While the origins of this policy remain murky, sources in UNHCR and in the Yemeni parliament have said that it is intended to reciprocate past Somali political support for President Saleh and the ROYG. The refugee figures above do not include many thousands of migrants who have not been granted refugee status by the ROYG or UNHCR, the majority of whom are Ethiopian. Ethiopian migrants, like Somalis, face enormous risks in the dangerous sea crossing to Yemen (see reftel). Although NGO figures for shore arrivals along Yemen's Gulf of Aden coast show a roughly 40/60 split between Ethiopians and Somalis, most Ethiopian migrants scatter to the cities immediately rather than attempt to claim asylum. The ROYG generally views Ethiopian arrivals as illegal economic migrants. According to Saado Quol, head of UNHCR's Aden office, the ROYG has moved since early 2006 from a strategy of periodic urban roundups of Ethiopian migrants to capturing Ethiopians as they arrive on Yemen's shores. After a period of

detention, most are deported to Ethiopia in cooperation, according to Quol, with the Ethiopian Embassy in Sanaa.

14. (SBU/NF) The ROYG is generally more sympathetic towards Iraqi and Palestinian asylum seekers and does not obstruct their applications for refugee status with UNHCR. Their situation is further helped by their small numbers, good job prospects resulting from their relatively high level of education, and their ability to assimilate into Yemeni society. Iraqi Christians, however, sometimes face low-level social discrimination and, according to UNHCR Protection Officer Samer Haddadin, the situation of Iraqi Mandaeans is tenuous. A sect that is neither Christian nor Muslim, the Mandaeans face strong social pressure to convert to Islam, and are a UNHCR priority for resettlement in the United States or Europe.

15. (SBU/NF) Some problems are shared by all refugees in Yemen regardless of national origin. Although Yemen is a signatory to both the 1951 Convention Relating to the Status of Refugees and the 1967 Protocol, the ROYG's obligations have not yet been enshrined in national law. Although the ROYG set up the National Committee for Refugee Affairs (NACRA) in 2000 to deal with refugee issues, the committee is reactive and essentially a forum to give the Interior and Foreign Affairs ministries a veto on refugee issues, which are primarily the responsibility of the Ministry of Human Rights. Although the ROYG claimed that a draft refugee law had been submitted to parliament in 2004, it was never approved, and Adel Jasmin, the UNHCR Representative in Yemen, says he now believes the draft never actually existed. Shaykh Nabil Basha, a ruling party parliamentarian on the human rights committee, said in a January meeting that no powerful ministries have given their backing to refugee legislation. A new draft refugee law, announced in February 2008 by the Ministry of Human Rights, has yet to be seen by UNHCR (septel). Without enforced refugee legislation, even recognized refugees have no legal recourse when they are denied their rights under the 1951 Convention. Currently, for example, the ROYG refuses to approve travel documents for refugees, despite UNHCR offers of assistance. Additionally, many non-Somali asylum seekers awaiting UNHCR's refugee status determination are denied the right to work or attend public schools.

16. (SBU/NF) Several refugees have also complained of corruption among Yemeni UNHCR employees. Since it is local staff who schedule refugee status determination interviews, arrange for work and residence permits, and control access to international staff, asylum seekers have alleged that cases have been delayed by a year or more until bribes are paid.

17. (SBU/NF) COMMENT: As instability in the Horn of Africa region continues, the flow of refugees to Yemen is unlikely to diminish. UNHCR's strategy to deal with the crisis is based on three "durable solutions:" voluntary repatriation, integration in the country of first refuge, and resettlement in a third country. Since only a few hundred refugees in Yemen are either repatriated or resettled each year, integration is the default option for the vast majority. Until now, donor and NGO assistance has mainly focused on immediate humanitarian concerns, such as improving living conditions in Kharaz camp. However, the USG should now consider focusing funding for UNHCR and implementing NGOs toward projects targeting the integration of refugees into the Yemeni economy. These could include vocational training, legal aid programs, and basic education support. The USG should also coordinate with UNHCR to pressure the ROYG to complete and enforce legislation that guarantees the rights of refugees as outlined in the 1951 Convention. The economic opportunities created by more successful integration would be the most effective long-term means of alleviating the humanitarian crisis faced by refugees in the camps and urban areas. END COMMENT.

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